



USA FD

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 SOUTHERN DISTRICT OF CALIFORNIA
8 UNITED STATES OF AMERICA, } Magistrate Case No.: **'08 MJ 8810**
9 Plaintiff, }
10 v. } COMPLAINT FOR VIOLATION OF
11 Jackelin ROCHA-Martínez, } 21 U.S.C. § 952 and 960
12 Defendant. } Importation of a Controlled Substance
 (Felony)

13
14 The undersigned complainant being duly sworn states:

15 On or about September 3, 2008, within the Southern District of California,
16 defendant Jackelin ROCHA-Martínez did knowingly and intentionally import
17 approximately 8.28 kilograms (18.21 pounds) of marijuana a Schedule I Controlled
18 Substance, into the United States from a place outside thereof, in violation of Title 21,
19 United States Code, Sections 952 and 960.

20 The complainant states that this complaint is based on the attached Statement
21 of Facts incorporated herein by reference.

22
23 Rafael Silva, Special Agent
24 Immigration and Customs Enforcement
25

26 SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 4TH
27 DAY OF SEPTEMBER 2008.

28
29 Peter C. Lewis
U. S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA
2 v.
3 Jackelin ROCHA-Martínez

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents,
6 and notes furnished to Immigration and Customs Enforcement
7 Special Agent Rafael Silva.

8 On September 4, 2008, at approximately 2056 hours, Jackelin
9 ROCHA-Martínez (ROCHA) entered the United States at the Calexico,
10 California, west port of entry. ROCHA was the driver of a 1996
11 Ford Thunderbird and was accompanied by her infant son.

12 ROCHA approached lane number seven which was being manned by
13 Customs and Border Protection Officer (CBPO) Pelayo. During
14 routine border inspection questioning, ROCHA gave a negative
15 customs declaration. CBPO Pelayo decided to refer the vehicle to
16 the vehicle secondary lot for further inspection.

17 While at vehicle secondary, CBPO Ibarra took over the
18 inspection. CBPO Ibarra received a negative customs declaration
19 from ROCHA. ROCHA stated she was on her way to take her baby to
20 the hospital.

21 CBPO/CEO (Customs Enforcement Officer) Taylor was asked to
22 assist with his assigned Human/Narcotics Detection Dog, when the
23 dog alerted to the vehicle ROCHA was driving. CBPO/CEO Taylor
24 informed CBPO Ibarra of the alert. CBPO Ibarra continued the

1 vehicle inspection, which revealed several packages, concealed
2 within the spare tire of the vehicle and inside the trunk.

3 A subsequent inspection of the vehicle revealed six (6)
4 packages concealed inside the spare tire of the vehicle and two
5 more in the trunk. CBPO Ibarra probed one of the packages and a
6 sample of a green leafy substance was obtained, which field
7 tested positive for marijuana. The 8 packages had a combined
8 weight of approximately 8.28 kilograms (18.21 pounds) of
9 marijuana.

10 ROCHA was placed under arrest and advised of her rights, per
11 Miranda, which she acknowledged and waived, agreeing to answer
12 questions. ROCHA stated she knew she was smuggling marijuana.
13 ROCHA was to drive the drug-laden vehicle to the Los Angeles,
14 California area. ROCHA stated she was offered \$2,000.00 dollars
15 to drive the drug-laden vehicle into the United States.
16

18
19
20
21
22
23
24
25
26
27
28
29